

AgTexas Farm Credit Services,
AgTexas, PCA, Thorlakson Diamond
T Feeders, LP,

Plaintiffs,

Edward Dufurrena, et al.,³

Intervenor-Plaintiffs,

v.

Rabo AgriFinance, LLC, HTLF Bank,
Shawn Ragland, Mechanics Bank,
and Meagan Goad,

Defendants.

Adversary No. 24-02007-rlj
Consolidated Adversary Proceeding

HTLF Bank, successor to First Bank &
Trust,

Plaintiff, Counter-Defendant,
and Cross-Claim Defendant,

v.

2B Farms, a Texas General
Partnership, Terry M. Robinson,
Rebecca A. Robinson, and Angela
Robinson,

Defendants, Counterclaim-
Plaintiffs, Third-Party Plaintiffs
and Third-Party Counterclaim
Defendants,

v.

Adversary No. 24-02007-rlj
Consolidated Adversary Proceeding

³ The Intervenor-Plaintiffs are Edward Dufurrena, Open A Arena, LLC, Dennis Buss, Buss Family Trust, Eddie Bryant, Robert E Gray, Ronnie Gray, Gray Brothers, Craig Sutton, Amy Sutton, Steve Ryan, Janice Lawhon, AJ Jacques Living Trust, Gungoll Cattle, LLC, Leah Gungoll, Morrison Cafe, LLC, Gary Lesh, Jan Lesh, Lesh Family Trust, Jared Lesh, Jordan Lesh, LLC, Joel Brookshire, Gene Brookshire Family, LP, Douglas Finley, Scarlet and Black Cattle, LLC, Bryan Blackman, Steve T Scott Farm, Inc., Scott Livestock Company, Inc., Arnold Braun Trust, Robert Braun, Jim Rininger, Robert Spring, Michael Evans, Miranda Evans, Charles Lockwood, Cole Lockwood, Sherle Lockwood, Nikki Lockwood, Lyndal Van Buskirk, Janet Van Buskirk, Colby Van Buskirk, Susan Van Buskirk, Jimmy Greer, Dustin Johnson, and Dora Blackman.

Rabo AgriFinance, LLC and
Mechanics Bank,

Third-Party Defendants and, as
to Rabo AgriFinance, LLC only,
Third-Party Counterclaim
Plaintiff and Cross-Claim
Plaintiff.

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ORDER

On August 19, 2024, the Court consolidated the two captioned adversary proceedings into the current adversary proceeding, Adversary No. 24-02007. (The consolidation was requested by Kent Ries, chapter 7 trustee of McClain Feed Yard, Inc., et al.) Prior to consolidation, there were pending motions to dismiss in each of the prior adversary proceedings.

In Adversary No. 24-02002, AgTexas Farm Credit Services, et al. v. Rabo AgriFinance, LLC, et al., there were two pending motions to dismiss: (1) Defendant Shawn Ragland's Motion to Dismiss Plaintiffs' Third Amended Petition [ECF No. 14] and (2) Defendant Rabo AgriFinance LLC's Motion to Dismiss Plaintiffs' Third Amended Petition [ECF No. 19]. These motions were abated under the Court's order of June 7, 2024. *See* Adversary No. 24-02002, ECF No. 41.

In Adversary No. 23-05002, HTLF Bank, successor to First Bank & Trust, v. 2B Farms, et al., there were three pending motions to dismiss: (1) Cross-Claim Defendant HTLF Bank's Partial Motion to Dismiss Third-Party Cross-Claim Plaintiff's Cross-Claim [ECF No. 36], which was heard on May 2, 2024 and taken under advisement; (2) Third-Party Defendant Mechanics Bank's Motion to Dismiss Third-Party Plaintiffs' Amended Complaint [ECF No. 55]; and (3) Defendant Rabo AgriFinance, LLC's Motion to Dismiss Third-Party Plaintiffs' Amended Complaint [ECF No. 62]. By order entered June 7, 2024, the Court abated this adversary proceeding pending the Court's ruling on the motion to consolidate. *See* Adversary No. 23-05002, ECF No. 72.

When the Court ordered the consolidation of the two adversary proceedings, it also abated the newly consolidated proceeding for 120 days from entry of the order. Adv. No. 24-02007, ECF No. 1.

To clarify the status of the five-referenced motions to dismiss, they too are abated for 120 days from entry of the order of consolidation, or until December 17, 2024. The Court will set a status conference to determine the status of the consolidated proceeding and the pending motions to dismiss. It is, therefore,

ORDERED that a status conference will be held on December 12, 2024, at 1:30 P.M., via WebEx; the meeting/dial-in-information for this docket will be posted on the Court's website (www.txnb.uscourts.gov) under Judge Jones's "Hearing Dates and Calendar" tab prior to the hearing.

End of Order